

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

TABITHA MARIE SMITH (Deceased),
(aka Tabitha Marie Colbaugh),
by and through her surviving children
NATHAN ALEXANDER SMITH,
JE through next friend JH,
NR through next friend SR, and
LC through next friend EH,

and

NATHAN ALEXANDER SMITH,
NR through next friend SR,
JE through next friend JH, and
LC through next friend EH,
(individually),

Plaintiffs,

vs.

MEIGS COUNTY and
ESTATE OF ROBERT J. LEONARD (Deceased)
by and through Neal Pinkston as
Administrator *ad Litem*,

Defendants.

No. 1:24-CV-151-DCLC-CHS

JURY DEMAND

INITIAL DISCLOSURES OF DEFENDANT ESTATE OF ROBERT J. LEONARD

COMES NOW, Defendant Estate of Robert J. Leonard (hereinafter referred to as “the Estate”),
by and through counsel, pursuant to Rule 26(a)(1)(A) of the *Federal Rules of Civil Procedure*, who
hereby files their initial disclosures as follows:

- (i) The name and, if known, the address and telephone number of each individual likely to have discoverable information--along with the subjects of that information--that Defendants may use to support their claims or defenses:

1. Christa Leonard
c/o Bryan Hoss and Logan Davis
850 Fort Wood Street
Chattanooga, TN 37403

- (423) 266-0605
2. Lynn Caswell
c/o Bryan Hoss and Logan Davis
850 Fort Wood Street
Chattanooga, TN 37403
(423) 266-0605
 3. Nathan Alexander Smith
c/o Michael Thomas
6148 Lee Highway, Ste 115
Chattanooga, TN 37363
 4. District Attorney Russell Johnson
c/o Meigs County District Attorney's Office
1008 Bradford Way
Kingston, TN 37763
(423) 334-5850
 5. Agent Cortney Dugger
c/o Meigs County District Attorney's Office
1008 Bradford Way
Kingston, TN 37763
(423) 334-5850
 6. Chanel Finnell DA's Office
c/o Meigs County District Attorney's Office
1008 Bradford Way
Kingston, TN 37763
(423) 334-5850
 7. DTF Deputy Director Brendan DeBoer
Ninth Judicial District Drug Task Force
1008 Bradford Way
Kingston, TN 37763
 8. Nikki Sandula, eyewitness
No known address or phone number
 9. Anna Sandula, eyewitness
No known address or phone number
 10. Frank Turner (Smith's boyfriend)
No known address or phone number
 11. Sheriff Jackie Melton
Meigs County Sheriff's Department
410 River Road
Decatur TN, 37322
(423) 334-5268

12. Deputy Ben Christian
Meigs County Sheriff's Department
410 River Road
Decatur TN, 37322
(423) 334-5268
13. Chief Deputy Brian Malone
Meigs County Sheriff's Department
410 River Road
Decatur TN, 37322
(423) 334-5268
14. Detective Cordus Waller
Meigs County Sheriff's Department
410 River Road
Decatur TN, 37322
(423) 334-5268
15. Detective Kevin Estchee
Meigs County Sheriff's Department
410 River Road
Decatur TN, 37322
(423) 334-5268
16. Dr. Shane Roberts
Meigs County ME
Regional Forensic Center – Knox County
2761 Sullins Street
Knoxville, TN 37919
17. Dr. Christopher Lochmuller
Deputy Chief ME for Knox and Anderson Counties
Regional Forensic Center – Knox County
2761 Sullins Street
Knoxville, TN 37919
18. Dr. Justin O. Brower
Forensic Toxicologist
To the best of our knowledge, the Pennsylvania Office
NMS Labs
200 Welsh Road
Horsham, PA 19044
19. Dr. Kristopher Graf
Forensic Toxicologist
To the best of our knowledge, the Pennsylvania Office
NMS Labs

200 Welsh Road
Horsham, PA 19044

20. Meigs County 911 dispatchers
410 River Road
Decatur TN, 37322
(423) 334-5268
21. Sgt John McFarland
To the best of our knowledge, the Cookeville Field Office
THP/CID Region Office
1420 Neal St, Suite 102
Cookeville, TN 38501
(931) 528-4130
22. Sgt Jerry Millsaps
To the best of our knowledge, the Cookeville Field Office
THP/CID Region Office
1420 St, Suite 102
Cookeville, TN 38501
(931) 528-4130
23. Supervisor: Lt Justin Boyd
To the best of our knowledge, the Chattanooga Field Office
Tennessee Highway Patrol
4120 Cummings Hwy
Chattanooga, TN 37419
(423) 634-6890
24. Trooper Cameron Azbill
To the best of our knowledge, the Chattanooga Field Office
Tennessee Highway Patrol
4120 Cummings Hwy
Chattanooga, TN 37419
(423) 634-6890
25. Trooper John Irwin
To the best of our knowledge, the Chattanooga Field Office
Tennessee Highway Patrol
4120 Cummings Hwy
Chattanooga, TN 37419
(423) 634-6890
26. Trooper Darren Butler
To the best of our knowledge, the Chattanooga Field Office
Tennessee Highway Patrol
4120 Cummings Hwy
Chattanooga, TN 37419
(423) 634-6890
27. Sgt Tim Southerland

To the best of our knowledge, the Chattanooga Field Office
Tennessee Highway Patrol
4120 Cummings Hwy
Chattanooga, TN 37419
(423) 634-6890

28. Agent Joe Morrissey
To the best of our knowledge, the Cookeville Field Office
Tennessee Bureau of Investigation
1810 Foreman Dr.
Cookeville, TN 38501
29. Special Agent Jason Legg
To the best of our knowledge, the Cookeville Field Office
Tennessee Bureau of Investigation
1810 Foreman Dr.
Cookeville, TN 38501
30. TWRA Ofc David Holt
To the best of our knowledge, the Crossville Office
Tennessee Wildlife Resources Agency
464 Industrial Blvd
Crossville, TN 38555
31. Chief Deputy Sheriff Chris White
Monroe County Sheriff's Office
4500 New Hwy 68 #1
Madisonville, TN 37354
32. TFO James Knipper
No known address or phone number.
33. Any unidentified Meig's County Sheriff's Office personnel.
34. Any unidentified Hamilton County Sheriff's Office personnel.
35. Any unidentified Monroe County Sheriff's Office personnel.
36. Any unidentified Tennessee Highway Patrol personnel.
37. Any unidentified Tennessee Bureau of Investigation personnel.
38. Any unidentified Tennessee Wildlife Resources Agency personnel.
39. Any unidentified Task Force personnel.

40. Any unidentified Drug and Violent Crime Task Force Officers.
41. Any unidentified 9th District Attorney's office personnel.
42. Any unidentified dispatchers at the Meigs County 911 Center.
43. Any records custodians for Meigs County, TN.
44. Any records custodians for Hamilton County, TN.
45. Any individual listed on the Plaintiff's Initial Disclosures.
46. Any individuals listed in Meigs County's Initial Disclosures.
47. The Estate reserves the right to amend these Initial Disclosures after the exchange of discovery.

(ii) A description by category and location of all documents, electronically stored information, and tangible things Defendants have in their possession, custody, or control and may use to support their claims or defenses:

1. General Johnson's Summary Report of the In-Custody death of Tabatha Smith and Line-of-duty death of Deputy Robert John Leonard.
2. Toxicology Report of Robert Leonard – page 14 of DAG report.
3. Toxicology Report of Tabatha Smith – page 15 of DAG report.
4. Driver's License Photograph of Smith – page 15 of DAG report.
5. Local arrest history of Tabatha Smith – page 16 of DAG report.
6. Photograph of text messages between Leonard and his spouse – page 17 of DAG report.
7. Various photographs of Blythe Ferry – pages 17-18 of DAG report.
8. Police Academy Graduation photo of RJ Leonard – page 18 of DAG report.
9. Social media photo of Tabatha Smith – page 18 of DAG report.
10. Road markings of crash site – page 19 of DAG report.

11. List of Leonard's arrests as a charging officer – page 20 of DAG report.
12. DAG Report of Forensic Findings by Agent Cortney Dugger.
13. Garmin Device (Garmin Drive 52 EX, SN: 75Q168633), data and photographs – pages 3-46 of the Report of Forensic Findings.
14. Text messages between RJ Leonard and Deputy Ben Christian from 02/14/2024 – pages 47-48 of the Report of Forensic Findings.
15. Response from dispatch regarding photograph of Smith – page 49 of the Report of Forensic Findings.
16. THP CIRT Case File
17. Investigative Summary – pages 4-7 of THP CIRT Case File.
18. Report of Findings – pages 8-10 of THP CIRT Case File.
19. Crash Report and diagrams for report #22-4011867 – pages 12-19 of THP CIRT Case File.
20. Log sheets & photographs – pages 21-98 of THP CIRT Case File.
21. Final Autopsy Report of Robert Leonard [redacted version] – pages 102-105 of THP CIRT Case File.
22. ME's Narrative Summary of Circumstances Surrounding Leonard's Death – pages 108-111 of THP CIRT Case File.
23. General Vehicle Inspection Report – pages 112-126 of THP CIRT Case File.
24. Property/Release Record – pages 127-128 of THP CIRT Case File.
25. Leonard's iPhone & Data Review by Sgt Knipper – pages 129-135 of THP CIRT Case File.

26. Smith's Official Driver Record – pages 137-141 of THP CIRT Case File.
27. Final Autopsy Report of Tabatha Smith [redacted version] – pages 142-146 of THP CIRT Case File.
28. ME's Narrative Summary of Circumstances Surrounding Smith's Death – pages 150-152 of THP CIRT Case File.
29. Meigs County DAG Interview of Frank Turner 03/01/2024 – page 159 of THP CIRT Case File.
30. THP Memo – Report of Interview (Nikki Sandula) – page 162 of THP CIRT Case File.
31. Document with additional information from Meigs County Dispatch – page 175 of THP CIRT Case File.
32. Meigs County Sheriff's Office CFS Report – pages 176-181 of THP CIRT Case File.
33. Miscellaneous notes – pages 182-183 of THP CIRT Case File.
34. Addendum to Meigs County Grand Jury Report of 11/25/2024.
35. DAG's Report of Investigation 02/21/2024
36. Photographs of Robert Leonard's cell phone content – pages 2-4 of the DAG's Investigative Report.
37. Application for employment – pages 1-2 of Leonard's personnel file.
38. Oath of Office from MCSO – page 3 of Leonard's personnel file.
39. Secondary School Transcript – page 4 of Leonard's personnel file.
40. Birth Certificate – page 5 of Leonard's personnel file.
41. Tennessee Peace Officer Standards & Training Commission – confirmation of medical examination – page 6 of Leonard's personnel file.

42. Tennessee Peace Officer Standards & Training Commission – confirmation of psychological evaluation – page 7 of Leonard’s personnel file.
43. Robert Leonard Certificate of Peace Officer Standards & Training Commission – page 8 of Leonard’s personnel file.
44. Cleveland State Community College – Law Enforcement Training Academy Certificate of Achievement – page 9 of Leonard’s personnel file.
45. Cleveland State LE Training Academy Grade Report – page 10 of Leonard’s personnel file.
46. Axon Academy Certificate of Completion – page 11 of Leonard’s personnel file.
47. Certificate of Completion for Defensive Tactics – page 12 of Leonard’s personnel file.
48. Certificate of Chemical Weapon Dynamic Scenario Training – page 13 of Leonard’s personnel file.
49. Certificate of Firearms Training – page 14 of Leonard’s personnel file.
50. Certificate of Completion for Basic Traffic Radar Operator Course – page 15 of Leonard’s personnel file.
51. Certificate of Completion for EVOC & Defensive Driving Course – page 16 of Leonard’s personnel file.
52. Certificate of Completion for Tennessee Highway Safety Office Training Course – page 17 of Leonard’s personnel file.
53. The Estate reserves the right to amend these Initial Disclosures after the exchange of discovery.

(iii) A computation of each category of damages claimed by the disclosing party--who must also make available for inspection and copying as under Rule 34 the documents or other

evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered:

N/A

(iv) Any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment:

Defendant does not have any insurance agreements under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Respectfully Submitted,

DAVIS & HOSS, P.C.

s/Bryan H. Hoss

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Attorneys for Estate of Robert J. Leonard

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

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This the 28th day of April 2025.

/s/Bryan H. Hoss
BRYAN H. HOSS